

those people, most of whom are illiterate, that the Judiciary Committee is moving judges but not quite enough; therefore, we are going to hold up any money that goes to these refugees, all this disaster aid. Millions are at risk of starvation.

In this bill is \$856 million in export assistance to help U.S. firms find markets for American products abroad. What does that do? It generates jobs here in America. For that money that we spend, it will come back to us tenfold—or what we would like to spend. But, remember, we can't do that because Senator LEAHY is not moving the judges—fast enough.

It would seem to me if there were ever a time in the history of this country where there is a need for leadership by this country, the United States, now is the time for urgency—here and abroad. Yet at the very time when the President of the United States and his Secretary of State have been traveling—the President just returned from China, where he met with 21 other world leaders, and Secretary of State Powell has been all over, including Pakistan, India, and China, and various capitals around the world, to shore up an international coalition against terrorism—some Republican Senators suggest we should take a timeout because we are not moving judges fast enough.

Should we tell those nations that want our help in combating terrorism that, well, we would like to help everyone, but we are taking a timeout because we need some more judges? I understand the importance of judges. I have already talked about that. Judges are important.

One of the people we are going to vote on this afternoon is a judge from Nevada. We have the most rapidly growing State in the Union and we need judges. We have another vacancy, but the ABA hasn't approved his paperwork. We want his paperwork to be completed. That is the right way. I know Judge Mahan, and I am sure the paperwork is going to come back perfect. I am from Nevada and I know him. Other Senators, other than Senator ENSIGN, do not know him, and we should go through the normal process. That is what Senator LEAHY is doing—going through the ordinary, normal process, which is quite difficult now. Our three office buildings are closed. I am fortunate enough to have an office right off the floor. I had some of my Senate friends drop by yesterday. There is no mail coming into my office or their offices. They needed someplace to go. They dropped in my office. We, I guess, will tell the countries that as for combating terrorism, we have taken a timeout because of the judges.

I understand the importance of judges and all this talk about justice delayed is justice denied. That is talk. These Federal judges work real hard. They are not denying anyone justice.

It is interesting to note that the Chief Justice of the U.S. Supreme Court is not going around the country

lecturing about why the Senate is not moving judges more quickly. No one can question Chief Justice Rehnquist's political leanings. He was appointed by a Republican and everyone knows how Republican he is. But he, knowing it was the right thing to do, criticized the Republican majority in the Senate for not moving judges and for holding them up. He is not doing that now.

We are doing the very best we can for these judges under very difficult circumstances. I said this morning, there may be a different agenda here than just judges. Maybe they do not want to move these appropriations bills. Maybe they want the appropriations in one lump sum. Maybe that is what they want. That is what they are going to get. It is a terrible mistake for the country.

Shall we tell our NATO allies or those suffering from AIDS, tuberculosis, or other deadly or preventable diseases that we are going to take a timeout because judges are not moving fast enough? That is the only thing we can tell them. Should we tell the American workers hurt by this slowing economy that we have taken a timeout because Senator LEAHY is not moving judges fast enough—he is moving them but not fast enough?

If he was trying to delay the appointment of judges, would he have held a meeting last Thursday in the President's room to report out judges? Of course not. If he is trying to delay, did he have an excuse not to hold hearings on these judges? He had to prevail upon the Appropriations Committee to get room S-128. As I said, what a disappointment it would have been for my friend, Larry Hicks, who is going to be a Federal judge from the State of Nevada, if Senator LEAHY had canceled that hearing. He had every reason to do so: the anthrax scare, the office buildings closed. But he did not. Larry Hicks was jammed into that hearing room with everybody else.

It was also interesting at that hearing, which I attended because of Larry Hicks, the judge from Nevada, the only people at the hearing were Democratic Senators. We had a few Republican Senators introducing nominees, but I am talking about members of the committee. I did not stay for the whole hearing. Maybe they showed up later.

Mr. DURBIN. Mr. President, will the Senator yield for a question?

Mr. REID. I am happy to yield.

Mr. DURBIN. Mr. President, I ask my friend from Nevada if he can explain what happened with the vote this morning on the floor of the Senate.

Mr. REID. I will be happy to explain to my friend.

Mr. DURBIN. This was a vote for cloture to bring a bill before the Senate to be debated; is that correct?

Mr. REID. That is all it is.

Mr. DURBIN. And the bill was the foreign operations appropriations bill.

Mr. REID. That is right.

Mr. DURBIN. It has the request of the Bush administration for foreign op-

erations, and we—at least on the Democratic side—have been trying to bring this bill to the floor for the administration and for the President.

Mr. REID. For weeks.

Mr. DURBIN. For weeks. Included in that bill, is it correct, there is \$175 million for infectious disease surveillance programs?

Mr. REID. Yes.

Mr. DURBIN. And \$255 million for sheltering of Afghan refugees, the ones we see on the television?

Mr. REID. Yes. I say to my friend, I talked about the \$175 million. I did not talk today about the \$255 million for Afghan refugees. I say to my friend from Illinois, all one has to do is turn on the news by mistake and in an instant one will find out the problems of these refugees. They are trying to escape the Taliban. They are trying to get out of that country. They want to get anywhere they can to escape the Taliban. They are starving. Their families are spread out all over. Sometimes they are together; sometimes they are not. Some have walked over the passes, such as the Khyber pass and other passes that are almost impassible. They have done it.

The Senator from Illinois is right, that money is being held up.

Mr. DURBIN. Is it not true President Bush has said our war is not against the Afghan people; it is against the Taliban, the terrorists, al-Qaida, and Osama bin Laden? It is not against the Afghan people, is that not correct? Is that not what the President has said?

Mr. REID. The only reason I am pausing before answering—the answer is absolutely yes—I say to my friend from Illinois, the legislation is being held up because Senator LEAHY—if I am not mistaken, my friend is a member of that Judiciary Committee.

Mr. DURBIN. Yes, I am.

Mr. REID. Nobody is criticizing Senator LEAHY for not doing anything. They say he is not doing it well enough, fast enough, and, as a result, we have been in a 3-week filibuster.

Mr. DURBIN. I have not looked closely at this morning's rollcall vote, but is it a party breakdown, Democrats and Republicans?

Mr. REID. One courageous man, TED STEVENS, voted "present," and then he gave a speech from his assigned seat in the Senate Chamber saying, in effect: What in the world is going on here? He said if we have a continuing resolution, and that is what this is all leading up to—I am paraphrasing what he said—but the \$255 million the Senator from Illinois suggested for these Afghan refugees will not be there because that is an add-on. A continuing resolution takes into consideration what took place last year.

Mr. DURBIN. So this morning in the Senate Chamber—

Mr. REID. Senator STEVENS said: What is going on here?

Mr. DURBIN. This morning in the Senate Chamber, we had a motion to bring up a bill, which President Bush is